

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Proposed Amendments to CrR 8.3 and CrRLJ  
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**From:** Emily Hiskes <ehiskes@snocopda.org>  
**Sent:** Thursday, April 18, 2024 12:47 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Proposed Amendments to CrR 8.3 and CrRLJ

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Dear Chief Justice González,

I am writing in support of the proposed changes to CrR 8.3 and CrRLJ 8.3. I am hopeful that the Supreme Court will enact these changes to give judicial officers more discretion to respond to inequities in the system that affect defendants' rights to justice.

As a public defender in Washington, I have seen the current rule bar some just outcomes for my clients and I believe that the bench should be empowered to respond to some types of egregious mismanagement by dismissing cases, for example, where my clients have been held pending competency evaluations or restoration treatment for months at a time. The *Trueblood* litigation began ten years ago and still my clients wait for months or years to have their cases resolved when there are competency issues. As a society, we should not be tolerating such treatment of the vulnerable mentally ill.

As the Court has recognized, judges and the rest of the legal community bear responsibility for the ongoing injustice in our criminal legal system. Removing the limitation on such dismissals to "when there has been prejudice to the rights of the accused which materially affect the accused's right to a fair trial" will help them take long-overdue steps to address it.

Sincerely,

Emily Hiskes